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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,884	04/27/2005	Joung-Tac Chung	0002251USU/3062	2262

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EXAMINER

NGUYEN, TU X

ART UNIT	PAPER NUMBER
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2618

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/08/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/532,884

Applicant(s)

CHUNG ET AL.

Examiner

Tu X. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 4/27/05 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6 rejected under 35 U.S.C. 103(a) as being obvious over the Applicant admitted prior art in view of Willrett (US Patent 6,430,397).

Regarding claims 1 and 4, the Applicant admitted prior art disclose a data monitoring system in a communication network comprising: a mobile station; a base station that communicates with the mobile station; a mobile station-packet data serving node monitoring system (MPMS); a first packet data collecting device; a packet data serving node (PDSN) supporting a data communication service of the mobile station; the-a global position system (GPS) receiver re-that provides a time information received from the GPS to the first packet collecting device, wherein said mobile station receives the time information from the GPS; wherein the first packet data collecting device re-collects, together with the GPS time information provided by the GPS receiver, a communication protocol and a communication environment information between the

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base station supporting a mobile communication service of the mobile station and the PDSN, and provides the collected information to the MPMS and wherein the MPMS to receives at least one of a wireless communication environment, a data communication environment, and a mobile communication protocol of the mobile station from the mobile station, and at least one of a packet data communication environment and a data communication protocol of the mobile station from the first packet data collecting device, and monitors and analyzes the received information (see Applicant admitted prior art page 1 through col.3 lines 4). However, the Applicant admitted prior art fails to specifically disclose the first packet along with the GPS time information, on a single time axis in time synchronization regardless of a time delay due to a distance between the MPMS and the first packet data collecting device.

In the related art, Willrett discloses a first packet along with the GPS time information, on a single time axis in time synchronization regardless of a time delay due to a distance between the MPMS and the first packet data collecting device (see col.3 lines 7-19). Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of the Applicant admitted prior art with the above teaching of Willrett in order to provide the GSP time synchronization between the collecting device and the base station, thus the collecting data is sorted according to the time stamps regardless the delay transmission between them.

Regarding claims 2 and 5, the modified admitted prior art discloses a second packet data collecting device to collect at least one of a communication protocol and a communication environment information between the PDSN and an application server along with the time information provided from the GPS receiver, and provide the received

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information to the MPMS, wherein the MPMS receives at least one of the wireless communication environment, the data communication environment, and the mobile communication protocol of the mobile station from the mobile station along with the time information of the GPS receiver, receives at least one of the packet data communication environment and the data communication protocol of the mobile station from the second packet data collecting device along with the time information, and monitors and analyzes the received information on a single time axis (see Willrett, col.3 lines 15-16).

Regarding claims 3 and 6, the modified admitted prior art discloses a computing device to receive the communication environment information and the communication protocol via the MPMS and store, monitor, and analyze the received information, the communication protocol and the communication environment information being received from at least one of the mobile station, the first and second packet data collecting devices (see Willrett, col.3 lines 7-20).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

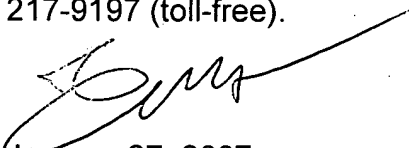
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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tu Nguyen whose telephone number is 571-272-7883.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban, can be reached at (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


January 27, 2007


EDWARD F. URBAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600